

Request to access AERIN

First Name _____ MI _____ Last Name _____

SSN ____ - ____ - ____ County _____ Program Name _____

Address _____ City _____ St ____ Zip _____

E-mail Address _____ Work Phone Number _____

Location Code (Can be Multiple) _____, _____, _____

Access required: Inquire Staff _____ Inquire Client _____
 Update Staff _____ Update Client _____

Please sign and attach a signed copy of the
EMPLOYEE CONFIDENTIALITY/SECURITY CONTRACT

Employee Signature/Date _____ Social Security # _____

Supervisor Signature/Date _____

Please send original to: Tammy Powers or Terry Tackett
 Kentucky Adult Education, Council on Postsecondary Education
 1024, Capital Center Drive, Suite 250
 Frankfort, KY 40601

_____ **Internal use only** _____

User Id assigned _____ Security level _____

Location assigned _____ Default password _____

Request to access AERIN

EMPLOYEE CONFIDENTIALITY/SECURITY CONTRACT

I understand that I may be allowed access to confidential information and/or records in order that I may perform my specific job duties. I further understand and agree that I am not to disclose confidential information and/or records without the prior consent of the appropriate authority(s) in Kentucky Adult Education, Council on Postsecondary Education.

I understand that all USERID/Passwords to access Kentucky Adult Education/Council on Postsecondary Education Electronic data or data of any type issued on an individual basis. I further understand that I am solely responsible for all information obtained, through system access, using my unique identification. At no time will I allow use of my USERID/Password by any other person.

I understand that accessing or releasing confidential information and/or records, to be accessed or released, on myself, other individuals, clients, constitute a violation of this contract and may result in disciplinary action taken against me, up to and including dismissal and prosecution as provided by state or federal law.

By affixing my signature to this document I acknowledge that I have been apprised of the relevant laws, regulations and policies concerning access, use, maintenance and disclosure of confidential information and/or records which shall be made available to me through my employment. I further agree that it is my responsibility to assure the confidentiality of all information which has been issued to me in confidence even after my employment ends.

Pursuant to this contract I certify that I have read and understand the following laws concerning confidential information and/or records:

KRS 434.840 thru 434.860 - Unlawful Access to a Computer
KRS 341.190 - Reports and Records - Confidential Treatment
KRS 341.990 - Penalties

I also certify by my signature that I have been given a copy of the above referenced laws.

Employee Signature/Date

Social Security #

Supervisor Signature/Date

KRS 434.840 – 434.860

**Unlawful Access
to a Computer**

434.845 Unlawful access to a computer in the first degree.

- (1) A person is guilty of unlawful access to a computer in the first degree when he or she, without the effective consent of the owner, knowingly and willfully, directly or indirectly accesses, causes to be accessed, or attempts to access any computer software, computer program, data, computer, computer system, computer network, or any part thereof, for the purpose of:
 - (a) Devising or executing any scheme or artifice to defraud; or
 - (b) Obtaining money, property, or services for themselves or another by means of false or fraudulent pretenses, presentations, or promises.
- (2) Unlawful access to a computer in the first degree is a Class C felony.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 350, sec. 2, effective July 15, 2002. -- Created 1984 Ky. Acts ch. 210, sec. 2, effective July 13, 1984.

434.850 Unlawful access to a computer in the second degree.

- (1) A person is guilty of unlawful access to a computer in the second degree when he or she, without the effective consent of the owner, knowingly and willfully, directly or indirectly accesses, causes to be accessed, or attempts to access any computer software, computer program, data, computer, computer system, computer network, or any part thereof, which results in the loss or damage of three hundred dollars (\$300) or more.
- (2) Unlawful access to a computer in the second degree is a Class D felony.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 350, sec. 3, effective July 15, 2002. -- Created 1984 Ky. Acts ch. 210, sec. 3, effective July 13, 1984.

434.851 Unlawful access in the third degree.

- (1) A person is guilty of unlawful access in the third degree when he or she, without the effective consent of the owner, knowingly and willfully, directly or indirectly accesses, causes to be accessed, or attempts to access any computer software, computer program, data, computer, computer system, computer network, or any part thereof, which results in the loss or damage of less than three hundred dollars (\$300).
- (2) Unlawful access to a computer in the third degree is a Class A misdemeanor.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 350, sec. 4, effective July 15, 2002.

434.853 Unlawful access in the fourth degree.

- (1) A person is guilty of unlawful access in the fourth degree when he or she, without the effective consent of the owner, knowingly and willfully, directly or indirectly accesses, causes to be accessed, or attempts to access any computer software, computer program, data, computer, computer system, computer network, or any part thereof, which does not result in loss or damage.
- (2) Unlawful access to a computer in the fourth degree is a Class B misdemeanor.

Effective: July 15, 2002

History: Created 2002 Ky. Acts ch. 350, sec. 5, effective July 15, 2002.

434.855 Misuse of computer information.

- (1) A person is guilty of misuse of computer information when he or she:
 - (a) Receives, conceals, or uses, or aids another in doing so, any proceeds of a violation of KRS 434.845; or
 - (b) Receives, conceals, or uses or aids another in doing so, any books, records, documents, property, financial instrument, computer software, computer program, or other material, property, or objects, knowing the same to have been used in or obtained from a violation of KRS 434.845.
- (2) Misuse of computer information is a Class C felony.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 350, sec. 6, effective July 15, 2002. -- Created 1984

Ky. Acts ch. 210, sec. 4, effective July 13, 1984.

434.860 Venue.

For the purpose of venue under the provisions of KRS 434.845, 434.850, 434.851, 434.853, or 434.855, any violation of KRS 434.845, 434.850, 434.851, 434.853, or 434.855 shall be considered to have been committed: in any county in which any act was performed in furtherance of any transaction violating KRS 434.845, 434.850, 434.851, 434.853, or

434.855; in any county in which any violator had control or possession of any proceeds of said violation or of any books, records, documents, property, financial instrument, computer software, computer program or other material, objects, or items which were used in furtherance of said violation; and in any county from which, to which or through which any access to a computer, computer system, or computer network was made whether by wires, electromagnetic waves, microwaves, or any other means of communication.

Effective: July 15, 2002

History: Amended 2002 Ky. Acts ch. 350, sec. 7, effective July 15, 2002. -- Created 1984 Ky. Acts ch. 210, sec. 5, effective July 13, 1984.

KRS 341.190

Records and Reports – Confidential Treatment

341.190 Records and reports -- Confidential treatment.

- (1) Each employing unit shall keep true and accurate work records of all workers employed by it, of the wages paid by it to each worker, and such other information as the secretary for workforce development considers necessary for the proper administration of this chapter. The records shall be open for inspection and subject to being copied by the secretary or his authorized representatives at any reasonable time and as often as necessary.
- (2) The secretary for workforce development may require any employing unit to furnish to the cabinet at its central office from time to time information concerning the total amounts of wages paid, total number of persons employed, an individual record of each worker employed, an individual record of each worker whose employment has been terminated or who has been laid off, an individual wage and hour record of each worker employed part time entitled to benefits, and other related matters, including hours worked, which the secretary for workforce development considers necessary to the effective administration of this chapter.
- (3) Information obtained from an employing unit or individual and other records made by the cabinet in the administration of this chapter are confidential and shall not be published or be open for public inspection, except as provided below:
 - (a) Information may be made available to public employees in the performance of their duties, but the agency receiving the information shall assure the confidentiality, as provided for in this section, of all information so released.
 - (b) A claimant or employing unit or his legal representative shall be provided upon request information or records maintained by the cabinet in the administration of his claim, his reserve account, his reimbursing employer account, or any proceeding under this chapter to which he is a party.
 - (c) Statistical information derived from information and records obtained or made by the cabinet may be published, if it in no way reveals the identity of any claimant or employing unit.
 - (d) Nothing in this section shall preclude the secretary or any employee of the cabinet from testifying in any proceeding under this chapter or in any court, or from introducing as evidence information or records obtained or made by the cabinet in an action for violation of state or federal law to which the cabinet is a party or upon order of the court.
- (4) No information or records held confidential under subsection (3) of this section shall be the subject matter or basis for any suit for slander or libel in any court, but no employer or employee, or his representative, testifying before the commission, the secretary, or any duly authorized representative thereof, shall be exempt from punishment for perjury.

Effective: July 15, 1996

History: Amended 1996 Ky. Acts ch. 266, sec. 6, effective July 15, 1996; and ch. 271, sec. 17, effective July 15, 1996. -- Amended 1990 Ky. Acts ch. 6, sec. 3, effective July 13, 1990. -- Amended 1980 Ky. Acts ch. 188, sec. 267, effective July 15, 1980. --Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 99. -- Amended 1950 Ky.

KRS 341.990

Penalties

341.990 Penalties.

- (1) Any employee of any state department who violates any of the provisions of KRS 341.110 to 341.230 shall be guilty of a Class B misdemeanor.
- (2) Any person subpoenaed to appear and testify or produce evidence in an inquiry, investigation, or hearing conducted under this chapter who fails to obey the subpoena shall be guilty of a Class B misdemeanor.
- (3) Any subject employer, or officer or agent of a subject employer, who violates subsection (1) of KRS 341.470 shall be guilty of a Class A misdemeanor.
- (4) Any person who violates subsection (2) of KRS 341.470 shall be guilty of a Class A misdemeanor.
- (5) Any person who knowingly makes a false statement or representation of a material fact or knowingly fails to disclose a material fact to the secretary to obtain or increase any benefit under this chapter or under an employment security law of any other state, or of the federal government, either for himself or for any other person, business entity, or organization shall be guilty of a Class A misdemeanor unless the value of the benefits procured or attempted to be procured is one hundred dollars (\$100) or more, in which case he shall be guilty of a Class D felony.
- (6) (a) Any person who knowingly makes a false statement or representation, or who knowingly fails to disclose a material fact to prevent or reduce the payment of benefits to any worker entitled thereto, or to avoid becoming or remaining subject to this chapter, or to avoid or reduce any payment required of an employing unit under this chapter shall be guilty of a Class A misdemeanor unless the liability avoided or attempted to be avoided is one hundred dollars (\$100) or more, in which case he shall be guilty of a Class D felony.
(b) Any person who willfully fails or refuses to furnish any reports required, or to produce or permit the inspection or copying of records required in this chapter shall be guilty of a Class B misdemeanor. Each such false statement, representation or failure and each day of failure or refusal shall constitute a separate offense.
- (7) In any prosecution for the violation of subsection (5) or (6) of this section, it shall be a defense if the person relied on the advice of an employee or agent of the department.
- (8) Any person who willfully violates any provision of this chapter or any rule or regulation under it, the violation of which is made unlawful or the observance of which is required under the terms of this chapter, and for which no specific penalty is prescribed in this chapter or in any other applicable statute, shall be guilty of a violation. Each day the violation continues shall constitute a separate offense.

Effective: July 15, 1994

History: Amended 1994 Ky. Acts ch. 136, sec. 6, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 463, sec. 37, effective July 14, 1992. -- Amended 1979 (1st Extra. Sess.) Ky. Acts ch. 2, secs. 7 and 12, effective February 10, 1979. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(21). -- Amended 1952 Ky. Acts ch. 154, sec. 18. -- Amended 1950 Ky. Acts ch. 206, sec. 1. -- Recodified 1942 Ky.